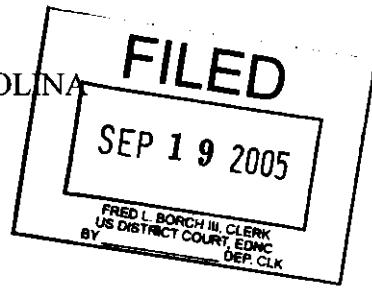


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA



IN RE EXTERIOR INSULATION FINISH)
SYSTEMS (EIFS) PRODUCTS LIABILITY)
LITIGATION)

Master Case No. 5:96-CV-287

BURKHARD CORPORATION and)
BURKHARD HOTEL PARTNERS II, LLC,)

Plaintiffs,)

v.)

G&R CONSTRUCTION, INC. and)
STO CORP.,)

Defendants.)

Individual CA No. 5:04-CV-792-BR ✓

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, plaintiffs, Burkhard Corporation and Burkhard Hotel Partners II, LLC, and defendants, Sto Corp. and G&R Construction, Inc., hereby dismiss the above-captioned matter with prejudice. The parties agree

to bear their own costs of the action.

BURKHARD CORPORATION and
BURKHARD HOTEL PARTNERS II, LLC,

By their attorneys,

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G&R CONSTRUCTION, INC.,

By its attorneys,

STO CORP.,

By its attorneys,

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Dated: September 15, 2005

CERTIFICATE OF SERVICE
I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail and on September 15, 2005
Yvonne S. Czerw